Doch. 95-92

FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

RECEIVED

MAY 2 4 1990

In the Matter of)	Office of the Secretary
REQUEST BY A.C. NIELSEN CO. FOR PERMISSIVE AUTHORITY TO USE LINE 22 OF THE ACTIVE PORTION OF THE TELEVISION VIDEO SIGNAL))))	DA 89-1060

To: The Commission

DOCKET FILE COPY ORIGINAI

ERRATUM

A.C. Nielsen Company ("Nielsen"), through its attorneys, submits the attached Erratum to its "Opposition To Motion To Withdraw Temporary Authority" filed May 21, 1990 ("Opposition").

Nielsen's Opposition contained an error in paragraph 17 on page 12, consisting of the omission from the last sentence of the paragraph of the word "not." As presently written, the last sentence of paragraph 17 is inconsistent with the meaning of the balance of the paragraph. The revision contained in the instant Erratum therefore does not alter the meaning of the paragraph or otherwise substantively change the Opposition.

Appended hereto is a revised page 12 of the Opposition with the error

corrected.

Nielsen respectfully requests the Commission to accept this Erratum.

Respectfully submitted,

A.C. NIELSEN COMPANY

y:______

Greer C. Raclin, Esq.

Kevin S. DiLallo, Esq.

GARDNER, CARTON & DOUGLAS 1001 Pennsylvania Avenue, N.W. Suite 750 Washington, D.C. 20004

Washington, D.C. 20004 (202) 347-9200

Its Attorneys

Dated: May 24, 1990

- 17. First, VidCode's proposal would completely undermine the whole purpose of a verification system. It is essential that an independent party encode the programming and commercial material that is being tracked and monitor the broadcast of such material in order to provide an independent verification that such broadcast occurred at a particular time, and for a particular length of time. If local stations were left to provide the encoding, there would not be such independent verification activity.
- 18. Moreover, the codes placed on the programming by each individual station almost certainly would lack uniformity.

 Thus, Nielsen would be forced to coordinate with each local station to interpret the respective stations' codes.

 Uniformity of the coding system is the foundation upon which Nielsen's system is built, in much the same way as the now ubiquitous Uniform Bar Code system for consumer goods requires uniformity of codes. Any alternative would involve a manual data collection and processing burden far too costly to be justified. If the uniformity were lost, the value of either of these systems also would be lost.
- 19. VidCode's proposal also assumes that each local station will be willing to cooperate with the in-station encoding and will have the personnel and time to undertake the burdensome task. Such cooperation would be unlikely in light of the size of the task, and would entail the unnecessary

Certificate of Service

I, Kimberly A. Smith, a secretary in the law firm of Gardner, Carton & Douglas, hereby certify that copies of the foregoing Opposition to Motion to Withdraw Temporary Authority were served this 21st day of May, 1990, by hand and/or first class mail postage prepaid on the following:

The Honorable Alfred C. Sikes Chairman Federal Communications Commission 1919 M Street, N.W. Room 814 Washington, D.C. 20554

The Honorable Andrew C. Barrett Commissioner Federal Communications Commission 1919 M Street, N.W. Room 844 Washington, D.C. 20554

The Honorable Ervin S. Duggan Commissioner Federal Communications Commission 1919 M Street, N.W. Room 832 Washington, D.C. 20554

The Honorable Sherrie P. Marshall Commissioner Federal Communications Commission 1919 M Street, N.W. Room 826 Washington, D.C. 20554

The Honorable James H. Quello Commissioner Federal Communications Commission 1919 M Street, N.W. Room 802 Washington, D.C. 20554

Roy J. Stewart Chief, Mass Media Bureau Federal Communications Commission 1919 M Street, N.W. Room 314 Washington, D.C. 20554

William Hassinger
Assistant Chief (Eng.)
Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 314
Washington, D.C. 20554

Robert H. Ratcliffe
Assistant Chief (Law)
Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 314
Washington, D.C. 20554

Douglas W. Webbink
Acting Chief
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 8010
Washington, D.C. 20554

James McNally Chief, Engineering Policy Branch Mass Media Bureau Federal Communications Commission 2025 M Street, N.W. Room 8112 Washington, D.C. 20554

Barbara A. Kreisman Chief, Video Services Division Mass Media Bureau Federal Communications Commission 1919 M Street, N.W. Room 702 Washington, D.C. 20554 Clay Pendervis
Chief, Television Branch
Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 700
Washington, D.C. 20554

David E. Hilliard, Esq.*
Wayne D. Johnson, Esq.
Wiley Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
Counsel to Airtrax

John D. Pellegrin, Esq.*
Pellegrin & Levine, Chartered
1140 Connecticut Ave., N.W.
Suite 606
Washington, D.C. 20036
Counsel to Southwest Missouri
Cable TV, Inc.

Bruce H. Turnbull, Esq.
Weil, Gotshal & Manges
1615 L Street, N.W.
Washington, D.C. 20036
Counsel to Vidcode Incorporated

John Griffith Johnson, Jr.*
Bryan, Cave, McPheeters & McRoberts
1015 15th Street, N.W.
Suite 1000
Washington, D.C. 20005
Counsel to Airtrax

Kimberly A. Smith

^{*} By first-class mail.